IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS WACO DIVISION

LINFO IP, LLC,	§	
Plaintiff,	Š	
-	Š	W-22-CV-00373-ADA-DTG
v.	§	
	§	
NORDSTROM, INC.,	§	
Defendant.	§	
	§	

CLAIM CONSTRUCTION ORDER

Before the Court are the Parties' claim construction briefs: Defendant Nordstrom, Inc.'s Opening Claim Construction Brief (ECF No. 17), Plaintiff's Responsive Claim Construction Brief (ECF No. 18), Defendants' Reply Claim Construction Brief (ECF No. 19), Plaintiffs' Sur-Reply (ECF No. 21), and the Joint Claim Construction Statement (ECF No. 22). On February 23, 2023, the Court provided the parties with its Preliminary Claim Constructions, and on February 24, 2023, the Court held a *Markman* hearing. The Court issues this Order to memorialize the Court's final claim construction rulings for the parties, and to inform the parties that the Court plans to issue a more-detailed Order explaining its analysis in due course. The deadline to file any objections to the undersigned's claim construction rulings (pursuant to Federal Rules of Civil Procedure 59 and 72) do not need to be filed until 14 days after that more fulsome Order is entered upon the docket.

SIGNED this 24th day of February, 2023.

DEREK T. GILLILAND

UNITED STATES MAGISTRATE JUDGE

I. AGREED TERMS

A. Term 1: "Electronic Object(s)" (claims 1-3, 9, 12, 14, 15, and 18)

Agreed Construction	Court's Final Construction
"An object comprising a physical object such as	"An object comprising a physical object such as
person name or phone number in an address	person name or phone number in an address
book or contact list, or a physical document	book or contact list, or a physical document
stored on a storage device, rather than attributes	stored on a storage device, rather than attributes
or search components that are parameters but not	or search components that are parameters but
physical objects"	not physical objects"

B. Term 2: "wherein the attribute includes a piece of metadata comprising the number of times the [subset of] object[s] is accessed within a given period of time, or an attribute obtained from the content of the [subset of] object[s], including a specific word or phrase contained in the [subset of] object[s], or a class membership of the [subset of] object[s], or a specific semantic attribute associated with a word or phrase contained in the [subset of] object[s];" (claims 9, 18)

Agreed Construction	Court's Final Construction
No construction is needed; plain and ordinary meaning.	No construction is needed; plain and ordinary meaning.

II. DISPUTED TERMS

A. Term 3: "Importance Value" (claims 1, 2, 8, 9, 12, 14, 15-19)

LINFO's Proposed Construction	NORDSTROM's Proposed Construction	Court's Final Construction
"A value assigned	"A value assigned directly to an	"A value assigned directly to an
directly to an electronic	3	electronic object itself by a user
object itself by a user	indicating the relative importance	indicating the relative importance
indicating the relative	of that object to the user. An	of that object to the user"
importance of that	'importance value' is different	
object to the user"	from the attributes and parameters	
	of the electronic	

object, and is not a search result."	

B. Term 4: "Selected from the group consisting at least of" (Claim 1)

LINFO's Proposed Construction	NORDSTROM's Proposed Construction	Court's Final Construction
No construction is needed; plain and ordinary meaning	Indefinite	Indefinite

C. Term 5: "The importance measure" (claim 3)

LINFO's Proposed Construction	NORDSTROM's Proposed Construction	Court's Final Construction
No construction is needed; plain and ordinary meaning	Indefinite	"importance value"